

1 AN ACT regarding education.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 Sections 2-3.64 and 2-3.64a as follows:

6 (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

7 Sec. 2-3.64. State goals and assessment.

8 (a) Beginning in the 1998-1999 school year, the State  
9 Board of Education shall establish standards and  
10 periodically, in collaboration with local school districts,  
11 conduct studies of student performance in the learning areas  
12 of fine arts and physical development/health. Beginning with  
13 the 1998-1999 school year, the State Board of Education shall  
14 annually test: (i) all pupils enrolled in the 3rd, 5th, and  
15 8th grades in English language arts (reading, writing, and  
16 English grammar) and mathematics; and (ii) all pupils  
17 enrolled in the 4th and 7th grades in the biological and  
18 physical sciences and the social sciences (history,  
19 geography, civics, economics, and government). Beginning  
20 with the 2004-2005 school year, the State Board of Education  
21 shall annually test all pupils enrolled in the 4th, 6th, 7th,  
22 9th, and 10th grades in English language arts (reading,  
23 writing, and English grammar) and mathematics. The General  
24 Assembly shall appropriate sufficient funds for the  
25 implementation of this testing schedule and to ensure that  
26 the tests are of high quality, are aligned to the State  
27 Standards, and provide educationally useful information to  
28 the State, local educators, and the broader public. The  
29 modifications to the State assessment system imposed by this  
30 amendatory Act of the 92nd General Assembly are a service  
31 mandate as defined under the State Mandates Act. If the

1 General Assembly does not appropriate sufficient funds for  
2 the implementation of the modifications to the State  
3 assessment system as imposed by this amendatory Act of the  
4 92nd General Assembly and as described in this Section, the  
5 modifications to the State assessment system shall not be  
6 implemented. The State Board of Education, with funds  
7 appropriated by the General Assembly, shall establish a pilot  
8 program for the voluntary participation in the 2003-2004  
9 school year of any school district that desires to  
10 participate in the State tests not mandated until the  
11 2004-2005 school year. The State Board of Education shall  
12 establish the academic standards that are to be applicable to  
13 pupils who are subject to State tests under this Section  
14 beginning with the 1998-1999 school year. However, the State  
15 Board of Education shall not establish any such standards in  
16 final form without first providing opportunities for public  
17 participation and local input in the development of the final  
18 academic standards. Those opportunities shall include a  
19 well-publicized period of public comment, public hearings  
20 throughout the State, and opportunities to file written  
21 comments. Beginning with the 2001-2002 school year, the State  
22 Board of Education, in collaboration with the regional  
23 offices of education and school districts, shall develop  
24 materials and fund activities and professional development to  
25 raise awareness, knowledge, and the capacity of local  
26 educators to align school and classroom practices with the  
27 State Standards and to use the results of the State tests to  
28 improve instruction and student learning. The General  
29 Assembly shall allocate sufficient funds to ensure a high  
30 quality implementation of this effort. Beginning with the  
31 1998-99 school year and thereafter, the State tests will  
32 identify pupils in the 3rd grade or 5th grade who do not meet  
33 the State Standards. If, by performance on the State tests  
34 or local assessments or by teacher judgment, a student's

1 performance is determined to be 2 or more grades below  
2 current placement, the student shall be provided a  
3 remediation program developed by the district in consultation  
4 with a parent or guardian. Such remediation programs may  
5 include, but shall not be limited to, increased or  
6 concentrated instructional time, a remedial summer school  
7 program of not less than 90 hours, improved instructional  
8 approaches, tutorial sessions, retention in grade, and  
9 modifications to instructional materials. Each pupil for  
10 whom a remediation program is developed under this subsection  
11 shall be required to enroll in and attend whatever program  
12 the district determines is appropriate for the pupil.  
13 Districts may combine students in remediation programs where  
14 appropriate and may cooperate with other districts in the  
15 design and delivery of those programs. The parent or  
16 guardian of a student required to attend a remediation  
17 program under this Section shall be given written notice of  
18 that requirement by the school district a reasonable time  
19 prior to commencement of the remediation program that the  
20 student is to attend. The State shall be responsible for  
21 providing school districts with the new and additional  
22 funding, under Section 2-3.51.5 or by other or additional  
23 means, that is required to enable the districts to operate  
24 remediation programs for the pupils who are required to  
25 enroll in and attend those programs under this Section.  
26 Every individualized educational program as described in  
27 Article 14 shall identify if the State test or components  
28 thereof are appropriate for that student. For those pupils  
29 for whom the State tests or components thereof are not  
30 appropriate, the State Board of Education shall develop rules  
31 and regulations governing the administration of alternative  
32 tests prescribed within each student's individualized  
33 educational program which are appropriate to the disability  
34 of each student. All pupils who are in a State approved

1 transitional bilingual education program or transitional  
2 program of instruction shall participate in the State tests.  
3 Any student who has been enrolled in a State approved  
4 bilingual education program less than 3 academic years shall  
5 be exempted if the student's lack of English as determined by  
6 an English language proficiency test would keep the student  
7 from understanding the test, and that student's district  
8 shall have an alternative test program in place for that  
9 student. The State Board of Education shall appoint a task  
10 force of concerned parents, teachers, school administrators  
11 and other professionals to assist in identifying such  
12 alternative tests. Reasonable accommodations as prescribed  
13 by the State Board of Education shall be provided for  
14 individual students in the testing procedure. All test  
15 procedures prescribed by the State Board of Education shall  
16 require: (i) that each test used for State and local student  
17 testing under this Section identify by name the pupil taking  
18 the test; (ii) that the name of the pupil taking the test be  
19 placed on the test at the time the test is taken; (iii) that  
20 the results or scores of each test taken under this Section  
21 by a pupil of the school district be reported to that  
22 district and identify by name the pupil who received the  
23 reported results or scores; and (iv) that the results or  
24 scores of each test taken under this Section be made  
25 available to the parents of the pupil; and (v) that each  
26 pupil taking the State tests be given an individually  
27 identifiable, confidential, and consistent number that shall  
28 be placed on every State test taken by that pupil for the  
29 purposes of showing the pupil's learning growth made over  
30 time and aiding school districts in meeting the learning  
31 needs of each pupil. In addition, beginning with the  
32 2000-2001 school year and in each school year thereafter, the  
33 highest scores and performance levels attained by a student  
34 on the Prairie State Achievement Examination administered

1 under subsection (c) of this Section shall become part of the  
2 student's permanent record and shall be entered on the  
3 student's transcript pursuant to regulations that the State  
4 Board of Education shall promulgate for that purpose in  
5 accordance with Section 3 and subsection (e) of Section 2 of  
6 the Illinois School Student Records Act. Beginning with the  
7 1998-1999 school year and in every school year thereafter,  
8 scores received by students on the State assessment tests  
9 administered in grades 3 through 10 8 shall be placed into  
10 students' temporary records. The State Board of Education  
11 shall establish a common month in each school year for which  
12 State testing shall occur to meet the objectives of this  
13 Section. However, if the schools of a district are closed  
14 and classes are not scheduled during any week that is  
15 established by the State Board of Education as the week of  
16 the month when State testing under this Section shall occur,  
17 the school district may administer the required State testing  
18 at any time up to 2 weeks following the week established by  
19 the State Board of Education for the testing, so long as the  
20 school district gives the State Board of Education written  
21 notice of its intention to deviate from the established  
22 schedule by December 1 of the school year in which falls the  
23 week established by the State Board of Education for the  
24 testing. Results from all State tests shall be disseminated  
25 to school districts, schools, and the broader public in a  
26 format that is understandable and can be used to improve  
27 instructional practices. The results from all State tests,  
28 except the writing test, shall be disseminated no later than  
29 45 days before the end of the State fiscal year in which the  
30 tests are administered. The results from the State writing  
31 test shall be disseminated before the beginning of the school  
32 year following the school year in which the test is  
33 administered. It shall be a goal of the committee created  
34 under Section 2-3.64a of this Code to work with the State

1 Board of Education to identify strategies to score and  
2 disseminate the results of the State writing test earlier.  
3 The maximum time allowed for all actual testing required  
4 under this subsection during the school year shall not exceed  
5 1.5 25 hours per subject per year as--allocated--among--the  
6 ~~required-tests-by-the-State-Board-of-Education.~~

7 (a-5) All tests administered pursuant to this Section  
8 shall be academically based and aligned to the State  
9 Standards. For the purposes of this Section "academically  
10 based tests" shall mean tests consisting of questions and  
11 answers that are measurable and quantifiable to measure the  
12 knowledge, skill, and ability of students in the subject  
13 matters covered by tests. The academically-based annual  
14 tests administered pursuant to this Section and their scoring  
15 ~~of--academically--based--tests~~ shall be reliable, valid,  
16 unbiased and shall meet the guidelines for test development  
17 and use prescribed by the American Psychological Association,  
18 the National Council of Measurement and Evaluation, and the  
19 American Educational Research Association. Academically based  
20 tests shall not include assessments or evaluations of  
21 attitudes, values, or beliefs, or testing of personality,  
22 self-esteem, or self-concept. Nothing in this amendatory Act  
23 is intended, nor shall it be construed, to nullify,  
24 supersede, or contradict the legislative intent on academic  
25 testing expressed during the passage of HB 1005/P.A. 90-296.

26 Beginning in the 1998-1999 school year, the State Board  
27 of Education may, on a pilot basis, include in the State  
28 assessments in reading and math at each grade level tested no  
29 more than 2 short answer questions, where students have to  
30 respond in brief to questions or prompts or show  
31 computations, rather than select from alternatives that are  
32 presented. In the first year that such questions are used,  
33 scores on the short answer questions shall not be reported on  
34 an individual student basis but shall be aggregated for each

1 school building in which the tests are given. State-level,  
2 school, and district scores shall be reported both with and  
3 without the results of the short answer questions so that the  
4 effect of short answer questions is clearly discernible.  
5 Beginning in the second year of this pilot program, scores on  
6 the short answer questions shall be reported both on an  
7 individual student basis and on a school building basis in  
8 order to monitor the effects of teacher training and  
9 curriculum improvements on score results.

10 The State Board of Education shall not continue the use  
11 of short answer questions in the math and reading  
12 assessments, or extend the use of such questions to other  
13 State assessments, unless this pilot project demonstrates  
14 that the use of short answer questions results in a  
15 statistically significant improvement in student achievement  
16 as measured on the State assessments for math and reading and  
17 is justifiable in terms of cost and student performance.

18 (b) It shall be the policy of the State to encourage  
19 school districts to continuously assess test pupil  
20 proficiency in the fundamental learning areas in order to:  
21 (i) provide timely information on individual students'  
22 performance relative to State standards that is adequate to  
23 guide instructional strategies; (ii) improve future  
24 instruction; and (iii) complement, but not duplicate, the  
25 information provided by the State assessment testing system  
26 described in this Section. Each district's school  
27 improvement plan must address specific activities the  
28 district intends to implement to assist pupils who by teacher  
29 judgment and test results as prescribed in subsection (a) of  
30 this Section demonstrate that they are not meeting State  
31 Standards or local objectives. Such activities may include,  
32 but shall not be limited to, summer school, extended school  
33 day, special homework, tutorial sessions, modified  
34 instructional materials, other modifications in the

1 instructional program, reduced class size or retention in  
2 grade. To assist school districts in testing pupil  
3 proficiency in reading in the primary grades, the State Board  
4 shall make optional reading inventories for diagnostic  
5 purposes available to each school district that requests such  
6 assistance. Districts that administer the reading  
7 inventories may develop remediation programs for students who  
8 perform in the bottom half of the student population. Those  
9 remediation programs may be funded by moneys provided under  
10 the School Safety and Educational Improvement Block Grant  
11 Program established under Section 2-3.51.5. Nothing in this  
12 Section shall prevent school districts from implementing  
13 testing and remediation policies for grades not required  
14 under this Section.

15 (c) Beginning with the 2000-2001 school year, each  
16 school district that operates a high school program for  
17 students in grades 9 through 12 shall annually administer the  
18 Prairie State Achievement Examination established under this  
19 subsection to its students as set forth below. The Prairie  
20 State Achievement Examination shall be developed by the State  
21 Board of Education to measure student performance in the  
22 academic areas of reading, writing, mathematics, science, and  
23 social sciences. The State Board of Education shall  
24 establish the academic standards that are to apply in  
25 measuring student performance on the Prairie State  
26 Achievement Examination including the minimum examination  
27 score in each area that will qualify a student to receive a  
28 Prairie State Achievement Award from the State in recognition  
29 of the student's excellent performance. Each school district  
30 that is subject to the requirements of this subsection (c)  
31 shall afford all students 2 opportunities to take the Prairie  
32 State Achievement Examination beginning as late as practical  
33 during the second semester of grade 11, but in no event  
34 before March 1. The State Board of Education shall annually

1 notify districts of the weeks during which these test  
2 administrations shall be required to occur. Every  
3 individualized educational program as described in Article 14  
4 shall identify if the Prairie State Achievement Examination  
5 or components thereof are appropriate for that student. Each  
6 student, exclusive of a student whose individualized  
7 educational program developed under Article 14 identifies the  
8 Prairie State Achievement Examination as inappropriate for  
9 the student, shall be required to take the examination in  
10 grade 11. For each academic area the State Board of  
11 Education shall establish the score that qualifies for the  
12 Prairie State Achievement Award on that portion of the  
13 examination. Any student who fails to earn a qualifying  
14 score for a Prairie State Achievement Award in any one or  
15 more of the academic areas on the initial test administration  
16 or who wishes to improve his or her score on any portion of  
17 the examination shall be permitted to retake such portion or  
18 portions of the examination during grade 12. Districts shall  
19 inform their students of the timelines and procedures  
20 applicable to their participation in every yearly  
21 administration of the Prairie State Achievement Examination.  
22 Students receiving special education services whose  
23 individualized educational programs identify the Prairie  
24 State Achievement Examination as inappropriate for them  
25 nevertheless shall have the option of taking the examination,  
26 which shall be administered to those students in accordance  
27 with standards adopted by the State Board of Education to  
28 accommodate the respective disabilities of those students. A  
29 student who successfully completes all other applicable high  
30 school graduation requirements but fails to receive a score  
31 on the Prairie State Achievement Examination that qualifies  
32 the student for receipt of a Prairie State Achievement Award  
33 shall nevertheless qualify for the receipt of a regular high  
34 school diploma.

1 (Source: P.A. 90-566, eff. 1-2-98; 90-789, eff. 8-14-98;  
2 91-283, eff. 7-29-99.)

3 (105 ILCS 5/2-3.64a)

4 Sec. 2-3.64a. State Assessment System Policy and  
5 Implementation Testing---Review Committee. The State  
6 Superintendent of Education, with the advice of the Joint  
7 Education Committee, shall appoint a committee of ~~no more~~  
8 ~~than 20~~ consisting of one parent parents, one student, 4  
9 teachers, 4 school administrators, one school district board  
10 member, 2 university-based assessment experts, one  
11 representative of higher education, and one representative  
12 from the business community. The State Superintendent of  
13 Education shall also be a member of this Committee. The  
14 Committee shall be appointed by September 30, 2001. Half of  
15 the appointed members on the Committee shall serve 3-year  
16 terms, while the other half shall serve 2-year terms. The  
17 State Superintendent of Education may reappoint any member  
18 upon completion of the member's term and shall make  
19 appointments in a timely manner to fill any resignation.  
20 This committee shall have the responsibility and--concerned  
21 citizens to review the State assessment system, including the  
22 Illinois--Goals--and-Assessment-Program tests administered by  
23 the State Board of Education, and the efforts to raise  
24 awareness and the capacity to implement the State Standards.  
25 The Committee shall take any actions necessary to ensure the  
26 assessment system, including the tests, administration,  
27 reporting, and professional development described in  
28 subsection (a) of Section 2-3.64 of this Code, is of high  
29 quality and educationally useful and understandable. The  
30 State Superintendent of Education shall appoint the  
31 Committee's chairperson, from among the appointed members, to  
32 serve for a 2-year term. The-Committee-shall--select--one--of  
33 ~~the--parent--representatives--as--its-chairman.~~ The Committee

1 shall meet on an ongoing basis to review the quality of the  
2 content, and design, implementation, and reporting of the  
3 tests (including whether the requirements of subsection (a-5)  
4 of Section 2-3.64 have been met), the time and money expended  
5 at the local and state levels to prepare for and administer  
6 the tests, the collective results of the tests as measured  
7 against the stated purpose of testing student performance,  
8 and other issues involving the tests identified by the  
9 Committee. The Committee shall be jointly staffed by the  
10 State Board of Education and a university selected by the  
11 Committee. Funding for the staffing shall be included in the  
12 State Board of Education's assessment budget. The Committee  
13 shall make periodic reports and recommendations to the State  
14 Board of Education, the broader public, Superintendent and  
15 the General Assembly concerning the overall State assessment  
16 system, including the State tests and related issues.

17 (Source: P.A. 89-184, eff. 7-19-95; 90-789, eff. 8-14-98.)

18 Section 99. Effective date. This Act takes effect on  
19 July 1, 2001.